

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

In re:	)	
	)	
EAGLE PROPERTIES AND	)	Bankruptcy Case
INVESTMENTS, LLC,	)	No. 23-10566-KHK
	)	Chapter 7
Debtor.	)	
_____	)	

**SECOND ORDER APPROVING SALE OF 1010 LYNN ST., SW, VIENNA, VA FREE  
AND CLEAR OF LIENS, CLAIMS AND INTERESTS PURSUANT TO 11 U.S.C. § 363(f)**

UPON CONSIDERATION of the second motion (Docket No. 534) (“Motion”) of H. Jason Gold, chapter 7 trustee (“Trustee”), to approve the sale of the property commonly known as 1010 Lynn St., SW, Vienna, VA (“Property”); and it appearing that proper and adequate notice of the Motion has been given and that no further notice is necessary; and it appearing that the sale of the Property as set forth in the Motion is in the best interest of the estate and its creditors, and it further appearing that based upon the endorsements of counsel set forth below that Shore United Bank, Gus Goldsmith and Bala Jain; LLC have consented to the sale of the Property as set forth herein, free and clear of all liens claims and interests, accordingly:

**IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED.
2. The Trustee is authorized to sell the Property<sup>1</sup> to Katherine C. Koczyk-Scripka or

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<sup>1</sup> Having the following legal description:

Dylan G. Trache, Va. Bar No. 45939  
NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, Suite 900  
Washington, DC 20001  
(202) 689-2800  
*Counsel to the Chapter 7 Trustee*

her successor(s) as Trustee of the Katherine C. Koczyk-Scripka Revocable Trust, dated June 18, 1999 (the “Purchaser”) for \$782,500.00 consistent with the sales contract attached to the Motion as Exhibit A.

3. The Trustee is authorized to pay the secured claim of Shore United Bank, N.A. in full at closing as set forth in the draft ALTA attached hereto as Exhibit A (“ALTA”).

4. The Trustee is authorized to pay the secured claim of Gus Goldsmith in the amount of \$100,000.00 consistent with the ALTA. Gus Goldsmith’s consent to this sale and release of liens is conditioned upon receipt of an additional \$10,000.00 resulting from the forfeited deposit on the prior sale of the Property.

5. At closing, the Trustee shall receive, for the benefit of the estate the sum of \$22,500.00 representing his commission under Section 326 of the Bankruptcy Code plus \$37,500.00 as additional consideration for the bankruptcy estate free and clear of all liens, claims and interests.

6. The Trustee is authorized to pay \$17,780.90 to his broker Century 21 New Millennium at closing for services rendered in representing the Trustee in connection with the sale.

7. The Trustee is authorized to pay \$14,312.50 to Keller Williams Realty at closing for services rendered in representing the Purchaser in connection with the sale.

8. The Trustee is authorized to pay all outstanding real estate taxes and other customary closing costs consistent with the ALTA.

9. The Trustee is authorized to pay Bala Jain, LLC the remaining net proceeds of sale

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All of Lot Two Thousand, Fifty-Five (2055), Section Ten (10), Vienna Woods, as the same appears duly dedicated, platted and recorded in Deed Book 1741 at Page 322 of the land records of Fairfax County, Virginia.

Less and Except that portion of said lot conveyed to the Town of Vienna in Deed Book 1801 at Page 594 of the aforesaid county land records.

after all costs, consistent with the ALTA.

10. The Trustee is authorized to reimburse Auction Markets, LLC at closing in an amount not to exceed \$1,000.00 for any utility and property preservation expenses as needed.

11. The Trustee is authorized to request and receive all information concerning the liens and debt held by any secured creditor necessary to close on the sale including but not limited to the loan payoff balance, proof of lien perfection, hazard insurance coverage, escrow account balance and other information. Secured creditors are authorized and directed to promptly provide said information to the Trustee upon request of the Trustee, subject to the right of any secured creditor to oppose the request.

12. This Order may be recorded in the land records wherein the subject Property is located.

13. This Court retains jurisdiction with respect to any disputes regarding the Property following the sale.

14. This Order shall be effective immediately and shall not be subject to the stay provided in Federal Rule of Bankruptcy Procedure 6004(h) or any other applicable stay.

Dated: Aug 2 2024

/s/ Brian F Kenney  
United States Bankruptcy Judge

PREPARED BY:

Entered On Docket: August 2, 2024

NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, NW, Suite 900  
Washington, DC 20001  
Tel: (202) 689-2800  
Fax: (202) 689-2860  
Email: [dylan.trache@nelsonmullins.com](mailto:dylan.trache@nelsonmullins.com)

By: /s/ Dylan G. Trache  
Dylan G. Trache, Va. Bar No. 45939

*Counsel to the Chapter 7 Trustee*

SEEN AND AGREED:

WOMBLE BOND DICKINSON (US) LLP  
100 Light Street, 26th Floor  
Baltimore, MD 21202  
Telephone: (410) 545-5800  
Facsimile: (410) 545-5801  
Email: [lisa.tancredi@wbd-us.com](mailto:lisa.tancredi@wbd-us.com)  
Email: [robert.hockenbury@wbd-us.com](mailto:robert.hockenbury@wbd-us.com)

By: /s/Lisa Bittle Tancredi (by DGT with authority)  
Lisa Bittle Tancredi, Esq. (admitted pro hac vice)  
Robert L. Hockenbury, Esq. (VA Bar 97675)

*Counsel to Shore United Bank, N.A.*

AND

MCNAMEE, HOSEA, P.A  
6404 Ivy Lane, Suite 820  
Greenbelt, MD 20770  
Phone No.: (301) 441-2420  
E-mail: [jfasano@mhlawyers.com](mailto:jfasano@mhlawyers.com)

BY: /s/ Justin P. Fasano (by DGT with authority)  
Justin P. Fasano (Bar No. 75983)

*Attorneys for Gus Goldsmith*

SEEN:

ROGAN MILLER ZIMMERMAN, PLLC  
50 Catoctin Circle, NE, Suite 300  
Leesburg, Virginia 20176  
Phone No. (703) 777-8850  
Fax No: (703) 777-8854  
E-mail: [crogan@RMZLawFirm.com](mailto:crogan@RMZLawFirm.com)

BY: /s/Christopher L. Rogan (by DGT with authority)  
Christopher L. Rogan (Bar No. 30344)

*Attorneys for Bala Jain, LLC*

**CERTIFICATION PURSUANT TO LOCAL RULE 9022-1(C)**

I HEREBY CERTIFY that this Order has been endorsed by all necessary parties.

/s/ Dylan G. Trache

Dylan G. Trache

**LIST OF PARTIES TO RECEIVE NOTICE OF ENTRY  
PURSUANT TO LOCAL RULE 9022-1**

Dylan G. Trache  
NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, NW, Suite 900  
Washington, DC 20001

Michael Freeman  
OFFICE OF THE UNITED STATES TRUSTEE  
1725 Duke Street, Suite 650  
Alexandria, Virginia 22314

Stephen Karbelk  
Team Leader, RealMarkets  
Century 21 New Millennium  
Century 21 Commercial New Millennium  
6629 Old Dominion Drive  
McLean, VA 22101

Lisa Bittle Tancredi  
WOMBLE BOND DICKINSON (US) LLP  
100 Light Street, 26th Floor  
Baltimore, MD 21202

Justin Fasano  
MCNAMEE, HOSEA, P.A  
6404 Ivy Lane, Suite 820  
Greenbelt, MD 20770

Christopher Rogan  
ROGAN MILLER ZIMMERMAN, PLLC  
50 Catoctin Circle, NE, Suite 300  
Leesburg, Virginia 20176

**Exhibit A**

## Imaged Certificate of Notice Page 7 of 11

ALTA Combined Settlement Statement

EKKO TITLE  
VA47703  
410 Pine Street  
Suite 220  
Vienna, VA 22180  
(703) 537-0800

<b>File #:</b>	V24-06-30	<b>Property</b>	1010 Lynn Street Southwest	<b>Settlement Date</b>	08/20/2024
<b>Prepared:</b>	07/29/2024		Vienna, VA 22180	<b>Disbursement Date</b>	08/20/2024
<b>Escrow Officer:</b>	Todd Condron		VIENNA WOODS PT LT 2055 SEC 10		
		<b>Buyer</b>	Katherine C. KOCZYK- SCRIPKA 4815 Marymead Drive Fairfax, VA 22030		
		<b>Seller</b>	H. Jason GOLD, Trustee PO Box 57359 Washington, DC 20037		
		<b>Lender</b>			

Seller			Buyer	
Debit	Credit		Debit	Credit
		<b>Financial</b>		
	\$772,500.00	Sales Price of Property	\$772,500.00	
		Deposit		\$10,000.00
		<b>Prorations/Adjustments</b>		
\$216.97		City/Town Taxes 07/01/2024 to 08/20/2024		\$216.97
\$1,327.87		County Taxes 07/01/2024 to 08/20/2024		\$1,327.87
		<b>Payoff(s)</b>		
\$551,129.88		Payoff to Shore United Bank, N.A.		
		Principal : \$485,809.61		
		Additional Interest : \$34,781.92		
		Release : \$29,116.32		
		Late Charge : \$1,422.03		
\$100,000.00		Payoff to Gus Goldsmith		
		Principal : \$100,000.00		
\$8,033.20		Payoff to Bala Jain LLC		
		Principal : \$8,033.20		
		<b>Government Recording and Transfer Charges</b>		
		Recording Fees	\$47.00	
		---Deed: \$47.00		
\$422.00		Grantor Tax - County (Deed) to Fairfax County Recording Office		
\$422.00		Grantor Tax - State (Deed) to Fairfax County Recording Office		
		Recordation Tax - County (Deed) to Fairfax County Recording Office	\$703.00	
		Recordation Tax - State (Deed) to Fairfax County Recording Office	\$2,109.00	
\$843.60		Regional Congestion Relief Fee (Deed) to Fairfax County Recording Office		
\$843.60		Regional WMTA Fee (Deed) to Fairfax County Recording Office		
		<b>Commission</b>		
\$17,780.90		Listing Agent Commission to Century 21 New Millennium		
\$14,312.50		Selling Agent Commission to Keller Williams Realty		
		<b>Title Charges &amp; Escrow / Settlement Charges</b>		
		Title - Buyer Binder Fee to EKKO TITLE	\$97.00	

Seller			Buyer	
Debit	Credit		Debit	Credit
		Title - Buyer Recording Service Fee to ZENZI TITLE SERVICES	\$50.00	
		Title - Buyer Settlement Fee to EKKO TITLE	\$697.00	
		Title - Buyer Title Search Fee to ZENZI TITLE SERVICES	\$197.00	
\$150.00		Title - Seller Deed Preparation Fee to Leggett, Simon, Freemyers & Lyon, PLC		
\$417.00		Title - Seller Settlement Fee to EKKO TITLE		
		Title - Owner's Title Policy to Fidelity National Title Insurance Company	\$3,579.36	
		<b>Miscellaneous</b>		
\$4,886.56		1st Half 2024 Real Estate Taxes to Fairfax County Department of Taxation		
\$843.60		1st Half 2024 Town Real Estate Taxes to Town of Vienna		
\$10,516.98		2023 Delinquent Taxes to Fairfax County Department of Taxation		
\$353.34		2023 Delinquent Town Taxes to Town of Vienna		
\$22,500.00		326(a) Payment to Trustee to H. Jason GOLD, Trustee		
\$37,500.00		Bankruptcy Estate Payment to H. Jason GOLD, Trustee		
Seller			Buyer	
Debit	Credit		Debit	Credit
\$772,500.00	\$772,500.00	<b>Subtotals</b>	\$779,979.36	\$11,544.84
		Due from Buyer		\$768,434.52
\$0.00		Due to Seller		
\$772,500.00	\$772,500.00	<b>Totals</b>	\$779,979.36	\$779,979.36



In re:  
Eagle Properties and Investments LLC  
Debtor

Case No. 23-10566-KHK  
Chapter 7

## CERTIFICATE OF NOTICE

District/off: 0422-9  
Date Rcvd: Aug 02, 2024

User: Elizabeth  
Form ID: pdford11

Page 1 of 3  
Total Noticed: 3

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 04, 2024:

Recip ID	Recipient Name and Address
	+ Lisa Bittle Tancredi, Womble Bond Dickinson (US) LLP, 100 Light Street, 26th Floor, Baltimore, MD 21202-1153
RE	+ Stephen Karbelk, Team Leader, RealMarkets, Century 21 New Millennium, 6629 Old Dominion Dr, McLean, VA 22101-4516

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	+ Email/Text: ustpreion04.ax.ecf@usdoj.gov	Aug 03 2024 00:03:00	UST smg Alexandria, Office of the U. S. Trustee, 1725 Duke Street, Suite 650, Alexandria, VA 22314-3489

TOTAL: 1

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 04, 2024 Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 2, 2024 at the address(es) listed below:

Name	Email Address
Andrew S Goldstein	on behalf of Creditor GITSIT Solutions LLC AGoldstein@mglspc.com, jcoffman@mglspc.com
Barry W. Spear	on behalf of Creditor Aero Mortgage Loan Trust 2019- 1 Barry.Spear@bww-law.com bankruptcy@bww-law.com
Bradley J. Swallow	on behalf of Defendant Main Street Bank bswallow@fblaw.com

District/off: 0422-9

User: Elizabeth

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Date Rcvd: Aug 02, 2024

Form ID: pdford11

Total Noticed: 3

Christian K. Vogel	on behalf of Interested Party Primis Bank kvogel@vogelandcromwell.com
Christian K. Vogel	on behalf of Defendant Primis Bank f/k/a Sona Bank kvogel@vogelandcromwell.com
Christopher A. Jones	on behalf of Debtor Eagle Properties and Investments LLC cajones@whitefordlaw.com clano@whitefordlaw.com,dchaney@whitefordlaw.com
Christopher L. Rogan	on behalf of Defendant Shail Butani crogan@rmzlawfirm.com
Christopher L. Rogan	on behalf of Creditor Bala Jain LLC crogan@rmzlawfirm.com
Christopher L. Rogan	on behalf of Defendant Ishwer Butani crogan@rmzlawfirm.com
Christopher L. Rogan	on behalf of Defendant Bala Jain LLC crogan@rmzlawfirm.com
Corey Simpson Booker	on behalf of Creditor Atlantic Union Bank corey.booker@atlanticunionbank.com
Craig M. Palik	on behalf of Creditor Trinity Universal Insurance Company cpalik@mhlawyers.com cpalik@yahoo.com;dmoorehead@mhlawyers.com;cpalik@ecf.inforuptcy.com;kmadden@mhlawyers.com;mnickerson@mhlawye rs.com
David S. Musgrave	on behalf of Creditor Fulton Bank N.A. dmusgrave@gfrlaw.com, vhilbun@gfrlaw.com
David S. Musgrave	on behalf of Defendant Fulton Financial Corporation dmusgrave@gfrlaw.com vhilbun@gfrlaw.com
Dylan G. Trache	on behalf of Trustee H. Jason Gold dylan.trache@nelsonmullins.com linnea.hann@nelsonmullins.com;alexandria.tracy@nelsonmullins.com;mari.cooper@nelsonmullins.com
Elizabeth Husebo	on behalf of Defendant Daniel J. Kotz ehusebo@grsm.com
Elizabeth Husebo	on behalf of Defendant First Class Title Inc. ehusebo@grsm.com
Erik W. Fox	on behalf of Creditor Vienna Oaks Office Center Condominium efox@reesbroome.com rhurley@reesbroome.com;rchambers@reesbroome.com;pgoodwine@reesbroome.com
Gerard R. Vetter	ustpregion04.ax.ecf@usdoj.gov
H. Jason Gold	goldtrustee@fiduciaryservicesgroup.com VA19@ecfcbis.com;hjb@trustesolutions.net;lgrahl@fsscommerce.com
Hannah White Hutman	on behalf of Creditor Bank of Clarke County hhutman@hooverpenrod.com scurtis@hooverpenrod.com;hooverpenrodplc@jubileebk.net
J. P. McGuire Boyd, Jr	on behalf of Defendant Atlantic Union Bank mboyd@williamsmullen.com
J. P. McGuire Boyd, Jr	on behalf of Creditor Atlantic Union Bank mboyd@williamsmullen.com
J. P. McGuire Boyd, Jr	on behalf of Defendant Bank of Clarke County mboyd@williamsmullen.com
Jack Frankel	on behalf of U.S. Trustee Gerard R. Vetter jack.i.frankel@usdoj.gov USTPRegion04.ax.ecf@usdoj.gov;Robert.W.Ours@usdoj.gov
James R. Meizanis, Jr.	on behalf of Creditor LINKBANK jmeizanis@bklawva.com jroot@bklawva.com;mnoble@bklawva.com
James R. Meizanis, Jr.	on behalf of Creditor Virginia Partners Bank jmeizanis@bklawva.com jroot@bklawva.com;mnoble@bklawva.com
Jeffery T. Martin, Jr.	on behalf of Debtor Eagle Properties and Investments LLC jeff@martinlawgroupva.com martin.jefferyt.b119228@notify.bestcase.com;brittany@martinlawgroupva.com

District/off: 0422-9

User: Elizabeth

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Date Rcvd: Aug 02, 2024

Form ID: pdford11

Total Noticed: 3

Jeffery T. Martin, Jr.

on behalf of Plaintiff Eagle Properties and Investments LLC jeff@martinlawgroupva.com  
martin.jefferyt.b119228@notify.bestcase.com;brittany@martinlawgroupva.com

Jeffery T. Martin, Jr.

on behalf of Counter-Defendant Eagle Properties and Investments LLC jeff@martinlawgroupva.com  
martin.jefferyt.b119228@notify.bestcase.com;brittany@martinlawgroupva.com

Jeremy B. Root

on behalf of Creditor Virginia Partners Bank jroot@bklawva.com  
tjones@bklawva.com;mnoble@bklawva.com;wcasterlinejr@bklawva.com;jmeizanis@bklawva.com

John E Reid

on behalf of Debtor Eagle Properties and Investments LLC jack@martinlawgroup.com jack@martinlawgroupva.com

John Tucker Farnum

on behalf of Interested Party SC&H Group jfarnum@milestockbridge.com  
jfarnumecfnotices@gmail.com;dbernard@milestockbridge.com

Joshua David Stiff

on behalf of Debtor Eagle Properties and Investments LLC jstiff@wtplaw.com eslate@wtplaw.com;dchaney@whitefordlaw.com

Justin Fasano

on behalf of Creditor Gus Goldsmith jfasano@mhlawyers.com  
jfasanoecf@gmail.com;jfasano@ecf.courtdrive.com;sshin@mhlawyers.com;dmoorehead@mhlawyers.com

Lee S Raphael

on behalf of Creditor Gitsit Solutions LLC ecf1@ecf.courtdrive.com, cmartin@pralc.com

Maurice Belmont VerStandig

on behalf of Professional Maurice VerStandig mac@mbvesq.com  
lisa@mbvesq.com;verstandig.mauricer104982@notify.bestcase.com;verstandiglaw@recap.email

Nancy Greene

on behalf of Debtor Eagle Properties and Investments LLC ndg@ndglaw.com

Nancy Greene

on behalf of Plaintiff Eagle Properties and Investments LLC ndg@ndglaw.com

Nancy Greene

on behalf of Professional N D Greene PC ndg@ndglaw.com

Richard E. Hagerty

on behalf of Defendant Navy Federal Financial Group LLC richard.hagerty@troutmansanders.com,  
sharron.fay@troutmansanders.com;natalya.diamond@troutman.com

Robert Hockenbury

on behalf of Creditor Shore United Bank robert.hockenbury@wbd-us.com

Robert M. Marino

on behalf of Defendant Shail Butani rmmarino@rpb-law.com rmmarino1@aol.com

Robert M. Marino

on behalf of Defendant Ishwer Butani rmmarino@rpb-law.com rmmarino1@aol.com

Robert M. Marino

on behalf of Creditor Bala Jain LLC rmmarino@rpb-law.com rmmarino1@aol.com

Stephanie Gardner Bortnick

on behalf of Defendant Daniel Kotz sbortnick@grsm.com

Stephanie Gardner Bortnick

on behalf of Defendant Daniel J. Kotz sbortnick@grsm.com

Stephanie Gardner Bortnick

on behalf of Defendant First Class Title Inc. sbortnick@grsm.com

Stephen W. Nichols

on behalf of Creditor Orrstown Bank snichols@offitkurman.com

TOTAL: 49